

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X
	:
DONNA THOMAS,	:
	:
Plaintiff,	:
	:
-v-	24-CV-8573 (JMF)
	:
PHYSICIAN AFFILIATE GROUP OF	<u>ORDER</u>
NEW YORK, P.C.,	:
	:
Defendant.	:
	:
-----	X

JESSE M. FURMAN, United States District Judge:

On November 12, 2024, Plaintiff filed a Complaint in which she invoked the Court's subject-matter jurisdiction pursuant to 28 U.S.C. § 1332. *See* ECF No. 1, ¶ 4. Although Plaintiff relies on the Court's diversity jurisdiction, she merely alleges her state of residence, not her state of citizenship. *Id.* ¶ 1. This is not enough. *See, e.g., Davis v. Cannick*, No. 14-CV-7571 (SJF) (SIL), 2015 WL 1954491, at \*2 (E.D.N.Y. Apr. 29, 2015) ("[A] conclusory allegation in the Complaint regarding diversity of citizenship does not extinguish the Court's responsibility to determine, on its own review of the pleadings, whether subject matter jurisdiction exists." (internal quotation marks omitted)). For the purpose of diversity jurisdiction, "a statement of the parties' residence is insufficient to establish their citizenship." *Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44, 47 (2d Cir. 1996); *see also, e.g., Linardos v. Fortuna*, 157 F.3d 945, 948 (2d Cir. 1998) ("For purposes of diversity jurisdiction, a party's citizenship depends on his domicile."); *Canedy v. Liberty Mut. Ins. Co.*, 126 F.3d 100, 103 (2d Cir. 1997) ("[A]llegations of residency alone cannot establish citizenship . . . .")

Accordingly, no later than **November 21, 2024**, Plaintiff shall file an amended complaint properly alleging the *citizenship* of each party to this action. If, by that date, Plaintiff does not file an amended complaint establishing this Court's subject-matter jurisdiction, the Court will dismiss the case without prejudice and without further notice to any party.

SO ORDERED.

Dated: November 14, 2024  
New York, New York



JESSE M. FURMAN  
United States District Judge